

Speech of Mr. Rodrigo Borja, Leader of the Ecuadorian Democratic Left.

March 20, 1981.

Brother President, Brother Members of the headtable, Brother members of the Government of the Netherlands Antilles, brothers representatives of the political parties, friends and brothers,

My impression is that as we deal with the subject of human rights, we have become used to consider human rights from the point of view of the relationships between the powers in force, and citizens. From the point of view of the relationship between those who govern and those who are governed this traditional way of looking on human rights is not sufficient today in my opinion, because it takes into consideration that the political powers are the only enemies of public freedoms. This is not the case, it is part of the truth, but not all of it.

There are economic factors with these societies that are legal enemies of human rights as well. The political power is not the only adversary of human rights. The existing economic imbalances are enemies. The presence of financial powers vis a vis the economically deprived masses of the people, furthermore constitute another danger against the enforcement of human rights.

What happens is that in the liberal revolutions over the end of the 18th century, the great concern of the true radical people was to distress the action of political powers and establish horizontal barriers which will prevent an infringement of human rights on the part of the authorities.

All the list of rights of that period demonstrate the statement that the main concern was political power. The British "Bill of Rights" of 1689, The Declaration of Independence of the United States of North America of 1776, The Declaration of the Rights of men of 1789, demonstrate a justified distrust in the political power, as the only factor that violated or infringed upon human rights. The theory of the division of powers which was generated as a result of these bourgeois revolutions represents an ingenious mechanism to protect the freedom of the citizens.

In other words, this was the original context within which the human rights were conceived and these were the mechanisms to protect that right. But later on the socialist thought, which goes from utopical socialism to democratic socialism and goes through scientific socialism or Marxism, stressed due to the economic and social phenomena that occurred in the first industrial revolution, stressed as I said, that there were other mortal enemies of human rights. And we had to combat these enemies as well in order to protect the integrity of the rights of man.

Then we discussed the so called social rights, which constitute the protection of the economically weak sectors of the society. From those weak sectors oppressed by the economic forces, which raise their eyes to the state asking for protection against the economic slavery in which these powerful forces wish to keep the majority

masses.

And this questioned then the bourgeoisie dogmas of the first protection and it also questioned the right to private property, freedom of hiring and questioned the equality of men before the law, because it was found that these were lying statements in the light of the new economic and social phenomena which were occurring in the world.

And instead of thinking that men were equal before the law and instead of considering men in an abstract way which dispossessed him of his real circumstances, they considered men prisoned by economic situations and seeks men to become a man that was free from the point of view of men as a freedom of men and it was considered that man cannot be completely free if not on a firm economic basis, on which he can support his political freedoms.

And then social rights were born, social rights which of course are for worker vis a vis their employers, houselessers in regard to the proprietors of said houses or homes, consumers in regard to those who produce goods and services, dispossessed farmers vis a vis the large landholders, the weaker parts of society, the old, the young, the children, the diseased, that do not wish to obtain the equitarian treatment, but rather preferential treatment, a protective type of treatment so that these weaker sectors can economically and socially level off vis a vis the other economically advantaged sectors of population.

And a whole movement of social constitutionalism ranked these social rights together with the traditional, civil and political rights and which establish them in the constitutions of the states.

We start with the Mexican Constitution of 1917, which is the first attempt to constitutionalize social rights. And we continue with the Declaration of the Rights of the Working and Exploited People of the Soviet Union in 1918. And then it goes on to the Weimar Constitution in Germany and Austria and later on with Poland, Yugoslavia, and Spain. And this starts spreading around the world. This idea of constitutionalizing social rights side by side with the political and civil rights of the human being. And this movement does not conclude, but it becomes consolidated with the 1948 Declaration of Human Rights, where quite clearly we can see that the states and societies would give rights to the economically weak part of the population and a new conception of man, which is not that of the equality of men vis a vis the law, but that of his concrete inequality vis a vis the dynamic events in the economic and social aspects of their community.

It is not that we under-rate human rights of a political and civil right nature. And not during that period that for the shame of America, certain countries have gone backwards to the period of authoritarianism that were much before the French and North American Revolutions and the bourgeois transformations of the 18th century. We cannot overlook the civil and political rights when we note that in the Southern Cone there exist cruel and opprobrious dictatorships that make martyrs out of their people, when we see that in Bolivia the right of free determination of the people is negated, when in Central America as a norm of Government we have genocide. When all of these things occur, we can do not nothing but stress the importance of civil and political rights of the human being. In such a way that it is not that I presume to underrate these rights, but I just wish to state that together with them the same importance should be given to the consideration of social rights, because only in this way can we integrate the sphere of true freedom of the human being, which starts with the solid economic position and ends with free political expression.

The respect for human rights is not only the absence of repression, it is a dynamic aspect of the stage of compensatory benefits from the economic and social point of view for the deprived sectors of human beings.

Hence, is not that I shall substitute social rights for political and economic rights or civil rights, but both should be added together to form one single whole. In the same way I do not believe that social democracy is the suppression of bourgeois democracy, it is rather the improvement there on, it complements it from the social economic point of view to achieve true democracy which is necessarily tridimensional: political democracy, social democracy, and economic democracy.

The bourgeois democracy is formalist and abstract with no contact with reality, just offers us the mirage of apparent freedoms and illusory liberties.

And vis a vis this phenomenon, the socialist parties state that democracy must be deepened to different levels, so that these rights will not remain just as words of a law on a piece of paper.

Because those bourgeois texts do not forbid the worker from becoming rich, nor the worker from buying shares in the enterprise, nor the diseased to become cured, nor the child to have education, and the family to have a roof and protection. The bourgeois texts do not deprive the people of these rights, but since they have no economic bases therefore, in reality from Texas on down, the worker can never become rich, nor can the diseased become sick, nor can the child be educated, nor can there be a safe roof over the heads of the poor, because without an economic basis for all these, this is nothing but rhetoric words in the wind, not based on an economic and social reality, which is hostiled to them and refuse them the tradi-

tional rights to establish the texts of the constitutions of our countries.

From another point of view, one of the fundamental factors which is a conspiracy today against the intangibility of human rights, is the famous theory or doctrine of national security, which has come to Latin American countries through North American and Brazilian revisions and which produces a police state, which really attacks all human rights.

This theory is based on a fallacy, where national securities is by strengthening of one of the elements that form the state to the prejudice of other elements of the state sacrificing them.

Concisely, the fascist conception of national security presumes to support the Government or the political power, which is just one of the ingredients that forms the state as a home, but it weakens the territory and the people and the national sovereignty which are the three elements in the light of political science of the entity that is for the state.

We all know that the state is formed of the elements, the human element or people, the territory, the sovereignty for the capacity for self-determination and the political power as a group of organs that direct the state. But a national security that is well understood cannot be based except on the strengthening of all the elements that go to make up the state.

The strengthening of the territory which means to cultivate it and defend the basic elements from foreign invasion to take full advantage of all the natural resources that the land has, that has to be defended if we wish national security to be a reality. We have to strengthen the people. And to strengthen the people it is first to respect their human rights. A malnourished people, people without education, without medicine, is not of course a factor of national security, in fact to the contrary it is a factor that conspires against national security. Hence, it becomes essential to strengthen the people in the dimension of respect for all their human rights and of course the strengthening of sovereignty.

The rejection of foreign invasion, the rupture of relation of foreign dependency, this is to strengthen a nation in the full democratic sense of the word. And not to do what the fascists do, which is to strengthen the power in terms not of authority but of force, and they believe that with this they are contributing to the national security, when in reality they are conspiring against it. Because quite clearly we must understand that the strengthening of the political power is to give that power authority before force, surround it with legitimate feelings and allow that power be followed not of forced effort of submission, but the fulfillment of an ethical system of obeying popular and democratic and legitimate rights of the society.

With this in mind then, and to conclude this short intervention, I find the parallelism between the human rights and the rights of the state.

I find that the freedom of the human being, is corresponding to the sovereignty of the state. I find that social justice for the population or by the population means the creation of international social justice, but the same thing, that is to say the generation of a new international division of labour, which will be just to the poor peripheral countries of the Third World. These are the large expansionist powers of any ideological sign, whatsoever, which in their mad race to overcome the resources and invade the resources of the planet, oppress the weaker countries of the four points of the globe.

We wish to have free men within sovereign states. This should be our slogan of the socialist democratic men and parties as we are, with our decision to create a constellation of justice ideas, wisely organized, worthy of being lived by our people.

Free men in sovereign countries is our slogan which will be born from this international Conference.